

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JESSICA DEWITT

PLAINTIFF

v.

CIVIL ACTION NO. 2:19-cv-134-TBM-MTP

C R BARD INCORPORATED, ET AL.

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S CASE WITH PREJUDICE**

This matter is before the Court on submission of the [32] Report and Recommendation entered by United States Magistrate Judge Michael T. Parker on February 12, 2021.


After considering the record and applicable law, Judge Parker recommends that the case should be dismissed for failure to prosecute and failure to comply with the Court's orders, [29] and [31], pursuant to FED. R. CIV. P. 41(b). Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error." *Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010); *see also Thomas v. Arn*, 474 U.S. 140, 152, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985) ("There is no indication that Congress, in enacting § 636(b)(1)(C), intended to require a district judge to review a magistrate's report to which no objections are filed."). Having considered Judge Parker's Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [32] entered by United States Magistrate Judge Michael T. Parker on February 12, 2021 is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that this action is DISMISSED WITH PREJUDICE pursuant to FED. R. CIV. P. 41(b).

THIS, the 22nd day of March, 2021.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE